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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,009	03/12/2004	Donald A. LaPoint	AET 6670.1	7569

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EXAMINER	
GAUTHIER, GERALD	

ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
04/29/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

Office Action Summary	Application No.	Applicant(s)	
	10/799,009	LAPOINT, DONALD A.	
	Examiner	Art Unit	
	Gerald Gauthier	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of **claims 1-32** in the reply filed on April 07, 2008 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. **Claims 1-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Faulkner et al. (US 2004/0004542 A1) in view of James et al. (US 6,369,847 B1).

Regarding **claim 1**, Faulkner discloses a system for communicating with a plurality of emergency response persons (paragraph 0003) comprising:

a plurality of portable communication devices for the emergency response persons [the mobile equipment employed by the emergency response units 315-319 to receive, process and display the video processing and displaying video, paragraph 0029];

a central station in communication with the network, the central station including a video monitor and a video camera [information identifying the secured location 301 is simultaneously displayed along with any other pertinent information that might be of assistance to the security service personnel at the central station 305, paragraph 0032];

a plurality of remote stations in communication with the network, the remote stations including a video monitor and a video camera [The embodiment illustrated in FIG. 3 shows that the real-time video may also be transmitted to various mobile emergency response units 315-319. In the case of the police department, a mobile emergency response unit may consist of one or more police officers in a police vehicle, paragraph 0029];

wherein the central station is in communication with the portable communication devices to provide a message to the emergency response persons [The central station 201 is also connected via a high-speed communications link to one or more emergency response agencies 211-215, paragraph 0024];

wherein the remote stations are positioned for access by the emergency response persons [This provides the security service personnel at the central station 201 with real-time video of the secured location 203, paragraph 0025];

a router in communication with the network for providing a bridged video connection between the central station and the remote stations [an emergency response agency routes real-time video to the emergency response agencies 211-215, paragraph 0026];

Faulkner fails to disclose emergency response persons are in video communication with each other and the central station.

However, James teaches wherein emergency response persons located adjacent the remote stations are in video communication with each other and the central station [a medical video-conferencing system is shown generally at 84 having a plurality of emergency center rooms 86, 88 and 90, such as in different parts of a city or in different locations within a geographical region to enable a patient to be visually and audibly evaluated, column 8, lines 27-55].

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Faulkner using the teaching of video conferencing in emergency as taught by James.

This modification of the invention enables the system to have emergency response persons are in video communication with each other and the central station so that the user would remotely control functions of the processing unit.

Regarding **claims 2, 3, 17, 18, 27 and 28**, Faulkner discloses a system wherein the network has a bandwidth and wherein the system further comprises: a system

integrator having access to a memory which stores a bandwidth value for the remote stations [paragraph 0023];

wherein the system integrator determines an operating bandwidth value for each remote station as a function of a bandwidth value stored in the memory and of a bandwidth of at least a portion of the network between the system integrator and the remote station [paragraph 0023].

Regarding **claims 4 and 19**, Faulkner discloses a system wherein the remote stations communicate with each other at different operating bandwidth values [paragraph 0022].

Regarding **claims 5 and 20**, Faulkner discloses a system wherein the remote stations further comprise a CODEC coupled to a video camera for transmitting packets of data corresponding to an output of the video camera and for receiving packets of data provided to an input of the video monitor [paragraph 0028].

Regarding **claims 6, 11-13 and 22-26**, Faulkner discloses a system wherein the system integrator prevents the transmitted or received packets of data from exceeding a predetermined bandwidth [paragraph 0029].

Regarding **claims 7-10, 14 and 15**, Faulkner discloses a system wherein a portion of the network between a remote station and the central station comprises the internet [paragraph 0030].

Regarding **claim 16**, Faulkner discloses a method of responding to an emergency situation (paragraph 0003) comprising the steps of:

providing a plurality of portable communication devices to a plurality of emergency response persons [the mobile equipment employed by the emergency response units 315-319 to receive, process and display the video processing and displaying video, paragraph 0029];

directing the emergency response persons from a central station via the portable communication devices to travel to a remote station having a video communication device [information identifying the secured location 301 is simultaneously displayed along with any other pertinent information that might be of assistance to the security service personnel at the central station 305, paragraph 0032];

routing a communication from the video communication devices to provide a bridged video connection between the central station and the remote stations [The embodiment illustrated in FIG. 3 shows that the real-time video may also be transmitted to various mobile emergency response units 315-319. In the case of the police department, a mobile emergency response unit may consist of one or more police officers in a police vehicle, paragraph 0029].

Faulkner fails to disclose emergency response persons are in video communication with each other and the central station.

However, James teaches wherein emergency response persons located adjacent the remote stations are in video communication with each other and the central station [a medical video-conferencing system is shown generally at 84 having a plurality of emergency center rooms 86, 88 and 90, such as in different parts of a city or in different locations within a geographical region to enable a patient to be visually and audibly evaluated, column 8, lines 27-55].

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Faulkner using the teaching of video conferencing in emergency as taught by James.

This modification of the invention enables the system to have emergency response persons are in video communication with each other and the central station so that the user would remotely control functions of the processing unit.

5. **Claims 29-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Faulkner in view of James as applied to claim 1 above, and further in view of Gerszberg et al. (UU 2002/0033416 A1).

Regarding **claims 29-32**, Faulkner fails to disclose wherein the operating bandwidth value does not exceed 1000 Kbytes per second for the remote stations.

However, Gerszberg teaches a system wherein the operating bandwidth value does not exceed 1000 Kbytes per second for the remote stations [various digital bandwidth services such as 56 Kbps service paragraph 0042].

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Faulkner using the teaching of bandwidth values as taught by Gerszberg.

This modification of the invention enables the system to have the operating bandwidth value does not exceed 1000 Kbytes per second so that the user would remotely control functions of the processing unit.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Menard et al. is cited for emergency response information distribution.

Bhatia is cited for broadcasting messages to mobile stations within a geographic area.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/
Primary Examiner, Art Unit 2614

/GG/
April 25, 2008